

**WJUNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO**

Petition for Revocation of Supervised Release

Name of Offender:	Joseph V. Mulay
Docket Number:	1084 1:20CR01311 -001WJ
Assigned Judge:	Honorable William P. Johnson, Chief United States District Judge
Date of Original Sentence:	02/14/2002
Original Offense:	Ct 7: 21 U.S.C. § 841(a)(1) Possession with Intent to Distribute Approximately 151 Grams of Cocaine Base; Ct. 8: 21 U.S.C. § 841(a)(1) Possession with Intent to Distribute Approximately 1.8 Kilograms of Marijuana; Ct. 9: 18 U.S.C. § 924(c)(1)(A) Possession of a Firearm in Relation to a Drug Trafficking Offense
Original Sentence:	BOP: 240 months; TSR: 5 years
Date Supervision Commenced:	10/03/2018
Date Supervision Expires:	10/02/2023
Other Court Action:	02/17/2017: Request for Modifying the Conditions or Term of Supervision with Consent of the Offender filed to add the following special conditions: refrain from the use and possession of alcohol and other forms of intoxicants; participation in and successfully complete an outpatient mental health treatment program approved by the probation officer; submit to a search of his person, property or automobile under his control to be conducted in a reasonable manner and at a reasonable time, for the purpose of detecting firearms, illegal substances, alcohol and other illegal contraband at the direction of the probation officer; and refrain from the possession of firearms or other dangerous weapons. On the same date, the Court ordered said modifications.
	05/28/2020: The District of Kansas transferred jurisdiction to the District of New Mexico.
	03/17/2021: The defendant filed an Opposed Motion for Early Termination of Supervised Release under seal. On May 6, 2021, the Court denied said motion.

PETITIONING THE COURT

No warrant requested. Emergency warrant issued.

U.S. Probation Officer of the Court, Laina M. Romero, alleges the defendant has violated the following condition(s) of supervised release.

<i>Violation Type</i>	<i>Nature of Noncompliance</i>
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MC	The defendant shall not commit another federal, state, or local crime.
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On September 8, 2023, an Affidavit for Arrest Warrant was filed in the Rio Arriba County Magistrate Court charging the defendant with Aggravated Battery (Great Bodily Harm); in violation of NMSA § 30-03-05 (C), a third-degree felony punishable by three years imprisonment.

The maximum statutory penalty: 5 years imprisonment; 5 years supervised release. (Class A felonies)

The revocation range of imprisonment: 51 to 63 months. (Grade A violation pursuant to USSG §7B1.1(a)(1)(A)(i) and §7B1.4(a)(2); CHC VI)

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 09/18/2023.

Submitted:

Approved:

☒ Emergency Warrant



Laina M. Romero
U.S. Probation Officer
Cell #: 505-980-9816

Sarah E. Howard
505-346-7274
Assistant U.S. Attorney

Date: 09/18/2023